



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Joseph Grossi Jr.,
Battalion Fire Chief (PM1496T),
Hoboken

CSC Docket No. 2017-3518

Request for Reconsideration

ISSUED: JUL 19 2017 (RE)

Joseph Grossi Jr. petitions the Civil Service Commission for reconsideration of the attached decision rendered on March 9, 2017, which found that his scores are correct on the promotional examination for Battalion Fire Chief (PM1496T), Hoboken.

By way of background, this was a two-part examination consisting of a multiple-choice portion and an oral portion. The appellant challenged his score for the technical component of the Incident Command scenario for the oral portion. In the prior decision, the Civil Service Commission (Commission) addressed appellant's concerns, provided a complete analysis for each component appealed, and found that the appellant was correctly scored.

In the present matter, the appellant continues to appeal his score of the technical component of the Incident Command scenario. For this question, the assessor indicated that the appellant failed to attempt contact with the trapped firefighters and failed to activate the Rapid Intervention Team/Crew (RIT/RIC), which were mandatory responses to question 2. He missed other actions as well. The Commission explained that although the appellant collected information, he did not say that he would do so by contacting the trapped firefighters. The Commission indicated that the appellant did not state in his presentation that he would contact the trapped firefighters. On request for reconsideration, the argues that he contacted the trapped firefighters when he got the name, unit of the member, his location, and a description of the emergency.

CONCLUSION

N.J.A.C. 4A:2-1.6(b) provides that a petition for reconsideration must show the following:

1. New evidence or additional information not presented at the original proceeding which would change the outcome and the reasons that such evidence was not presented at the original proceeding; or
2. That a clear material error has occurred.

Applying this standard to the instant matter, the petitioner has not demonstrated that reconsideration should be granted. The appellant's concerns were addressed in the decision below and he has not demonstrated that a clear material error has occurred or presented new information that would change the outcome. The assessor indicated that the appellant failed to attempt contact with the trapped firefighters.

Question 2 indicated that, during overhaul, the roof collapses over the paint store trapping several fire fighters. Question 2 asked for specific actions that should now be taken based on this new information. In response to this question, the appellant stated, "In regards to the second question, the roof collapses while members were overhauling. I will immediately transmit a Mayday slash urgent message to all units. I'll have them evacuate the building. I'll remove all nonessential personnel. I'll have companies still set up and be prepared to fight any active fire that may be from a safe distance. I'll announce to dispatch the incident status change, that we now have a collapse rescue plan in addition to the fire. I'm going to assign a chief level officer to monitor the fire and I will handle the Mayday, the trapped firefighters. I'm going to assign a separate channel for the fireground operations. I'll keep the current channel on for the Mayday, for the firefighters trapped. I'm going to transmit additional alarms, a fourth and fifth alarm. Fifth will now report to staging. I'll have the tower ladder respond for versatility apparatus. A tac..., New Jersey task force one to specialize specialists, expertise, a strike team. I will have a structural engineer with a surveyor's transit. I'll request a wind speed and direction report from dispatch. I will expand the Incident Command system by having another safety officer and information officer for media attention, logistics, ah, liaison for, between agencies, logistics for service and support, finance for loss and recovery, operations to carry out the action plan and plan and help develop the incident action plan. I will conduct a PAR immediately to account for all members and to determine exactly how many people are trapped. I'll find out who's trapped, get a progress report on what's their location. What's their

location, unit, name, assignment, and resource required. A LUNAR.¹ What do they have? What do they need? It's going to help us determine what we have going on. I'll have them activate their PASS device to help us guide us in a safe location. I will rescue and remove all firefighters and occupants who are trapped." At this point, the appellant was given the two-minute warning. He continued, "Thank you. I will rescue and remove all firefighters and occupants that are trapped, turn them over to decon and turn them over to Emergency Medical Services."

This was a formal examination setting, and candidates were required to state what they meant. The SMEs indicated that it was mandatory to attempt to contact the trapped firefighters. The appellant argues that he gathered information, such as LUNAR, and therefore should be credited with contacting the trapped firefighters. This argument only assumes that he had collected this information by contacting the trapped firefighters. He conducted a PAR, found out who was trapped, and got a progress report on their location. The appellant could have discovered who was trapped from the accountability officer, who would know who was not tagged in. He could have received a progress report on their location from their Captain, or other fire fighters. The appellant did not indicate *how* he would gather the information. There is no material error in this decision. The appellant merely disagrees with the scoring methodology, and believes that implied responses should be scored.

The appellant has failed to present a basis for reconsideration of this matter since he failed to establish that a clear material error occurred in the original determination or that new evidence presented would change the outcome of the appeal.

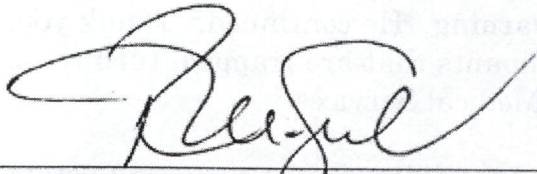
ORDER

Therefore, it is ordered that this request be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

¹ A LUNAR is an acronym used to help firefighters remember the important information that should be included in any Mayday call: L-Location; U-Unit; N-Name; A-Assignment and Air Supply; and R-Resources Needed.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION
THE 13th DAY OF JULY, 2017



Robert M. Czech, Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Director
Division of Appeals and Regulatory Affairs
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Trenton, New Jersey 08625-0312

Attachment

c: Joseph Grossi Jr.
Michael Johnson
Records Center



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Joseph Grossi Jr.,
Battalion Fire Chief (PM1496T),
Hoboken

Examination Appeal

CSC Docket No. 2017-1267

ISSUED: MAR 13 2017

(RE)

Joseph Grossi Jr. appeals his score on the examination for Battalion Fire Chief (PM1496T), Hoboken. It is noted that the appellant passed the examination with a final average of 85.230 and ranked fourth on the eligible list.

This two-part examination consisted of an integrated system of simulations designed to generate behavior similar to that required for success on the job. The first part consisted of 70 multiple-choice items that measured specific work components identified and weighted by the job analysis. The second part consisted of three oral scenarios; a Supervision, Administration and Incident Command scenario. All candidates received the same multiple-choice exam, but differing versions of the oral exercises were given based on the day the oral exam was administered. The examination was based on a comprehensive job analysis conducted by the Civil Service Commission, which identified the critical areas of the job. The weighting of the test components was derived from the job analysis data.

For the oral portion, candidates had 60 minutes to prepare for all three scenarios and had 10 minutes per scenario to present their response. For all three oral exercises, the candidate was to assume the role of a Battalion Fire Chief. Candidates were scored based on the content of their response (technical) and the how well they presented their response (oral communication). Both of these dimensions were scored on a scale of 1 to 5 with 1 being the lowest rating and 5 being the highest rating.

Each candidate in a given jurisdiction was scored by a team of three different Subject Matter Experts (SMEs), who were trained in current technical and oral

communication scoring procedures. Each SME is a current or retired fire officer who held the title of Battalion Fire Chief (or Fire Officer 2) or higher. As part of the scoring process, an SME observed and noted the responses of a candidate relative to the knowledge, skills and abilities (KSAs) that each exercise was designed to measure. An SME also noted any weaknesses that detracted from the candidates overall oral communication ability. The SME then rated the candidate's performance according to the rating standards and assigned the candidate a technical or oral communication score on that exercise.

In order to preserve the relative weighting of each of the components of the examination, the ratings for each portion were adjusted by a well-recognized statistical process known as "standardization." Under this process, the ratings are standardized by converting the raw scores to z-scores, an expression of the deviation of the score from the mean score of the group in relation to the standard deviation of scores for the group. Each portion of the examination had a relative weight in its relation to the whole examination. Thus, the z-score for the multiple-choice portion was multiplied by a test weight of 36.53%, the oral technical scores were multiplied by a test weight of 53.91% and the oral communication scores were multiplied by a test weight of 9.56%. The weighted z-scores were summed and this became the overall final test score. This was weighted and added to the weighted seniority score. The result was standardized, then normalized, and rounded up to the third decimal place to arrive at a final average.

For the technical and oral communication components of the Supervision, Administration and Incident Command scenarios, the appellant received scores of 5, 5, 1 and 5, 5, 5, respectively.

The appellant challenges his score for the technical component of the Incident Command scenario. As a result, the appellant's test material and a listing of possible courses of action (PCAs) for the scenario were reviewed.

The Incident Command scenario involved a report of a fire at a local paint store. It is 2:00 PM on a sunny afternoon in April, 55 degrees Fahrenheit, and the wind is blowing from west to east at five miles per hour. The fire building is a one-story, lightweight wood-frame constructed taxpayer with a truss roof measuring 150 feet by 75 feet. The paint store measures 20 feet by 75 feet. The side B exposure is a glass and mirror store, while the side D exposure is a liquor store. Upon arrival, the candidate sees fire and smoke emanating from side A of the paint store. An employee states that the fire spread quickly throughout the store and he believes some customers and employees may not have escaped. The scenario asked candidates to answer the questions based on the text *Fire Officer's Handbook of Tactics* and their experience. Question 1 asked for specific actions to be taken upon arriving at the scene. Question 2 indicated that, during overhaul, the roof collapses over the paint

store trapping several fire fighters. Question 2 asked for specific actions that should now be taken based on this new information.

For the Incident Command scenario, the SME indicated that the appellant failed to attempt contact with the trapped firefighters, and failed to activate the Rapid Intervention Team/Crew (RIT/RIC), which were mandatory responses to question 2. He also indicated that the appellant missed the opportunities to sound evacuation tones (in question 2 after the collapse), and to call for ATF or the Health Department (question 1). On appeal, the appellant argues that he stated he would call for the Health Department. As for question 2, the appellant argues that he requested a Personnel Accountability Report (PAR), a progress report on their "LUNAR,"¹ and had them activate their PASS devices.

Regarding mandatory responses, these are responses that are requirements for a performance to be acceptable (a score of 3). All mandatory responses must be given in order for a performance to be acceptable, whether there is one mandatory response or five of them. It is not assumed that candidates receive a score of 5 which is then lowered for lack of responses. Performances that include all mandatory responses get a score of 3, and those without mandatory responses get a score of 1 or 2. Additional responses only increase a score from 3 to 4 or 5.

For the Incident Command scenario, a review of the appellant's video and related examination materials indicates that the appellant called for the Health Department, which was an additional response to question 1. For question 2, the appellant received credit for conducting a PAR, which was an additional mandatory response. He stated, "I'll find out who's trapped, get a progress report on what's their location. What's their location, unit, name, assignment, and resource required. What do they have? What do they need? It's going to help us determine what's going on. I'll have them activate their PASS device to help us guide us in a safe location. I will rescue and remove all firefighters and occupants who are trapped." While the appellant collected information, he did not say that he would do so by contacting the trapped firefighters. The appellant's argument on appeal only assumes that he had done so by contacting the trapped firefighters. He never said so in his presentation. Instructions to candidates, which are read after the questions, state, "In responding to the questions, be as specific as possible. Do not assume or take for granted that general actions will contribute to your score." If the appellant meant to attempt contact with the trapped firefighters, he needed to have articulated this action. The appellant missed two mandatory actions for question 2. As such, although he mentioned an additional action for question 1, a presentation missing two mandatory actions warrants a score of 1. The appellant failed to attempt contact with the

¹ A LUNAR is an acronym used to help firefighters remember the important information that should be included in any Mayday call: L-Location; U-Unit; N-Name; A-Assignment and Air Supply; and R-Resources Needed.

trapped firefighters, and failed to activate the RIT/RIC. As such, his score for this component will not be changed.

CONCLUSION

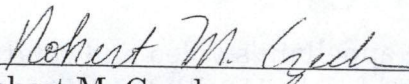
A thorough review of appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION
THE 9th DAY OF MARCH, 2017



Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
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c: Joseph Grossi Jr.
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